

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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<b>LINDA J. BLOZIS,</b>	:	: CIVIL ACTION NO. 05-891 (SLR)
<b>Plaintiff,</b>		:
<b>vs.</b>		:
<b>MELLON TRUST OF DELAWARE,</b>	:	
<b>NATIONAL ASSOCIATION; MELLON</b>	:	
<b>BANK, NATIONAL ASSOCIATION;</b>	:	
<b>MELLON FINANCIAL</b>	:	
<b>CORPORATION,</b>	:	
<b>Defendants.</b>		:

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**DEFENDANTS' MOTION IN LIMINE TO PRECLUDE PLAINTIFF'S EXPERT  
WITNESS FROM TESTIFYING ON THE GROUNDS THAT PLAINTIFF'S EXPERT'S  
OPINION IS BASED ON UNREALISTIC ASSUMPTIONS, AND PLAINTIFF FAILED  
TO PROVIDE MANDATORY DISCLOSURES AND RELEVANT DISCOVERY**

Defendants Mellon Trust of Delaware, National Association, Mellon Bank, National Association, and Mellon Financial Corporation (collectively, "Defendants") hereby move this Court, pursuant to Fed. R. Evid. 702 and Fed. R. Civ. P. 26(a)(2), for an Order in the form attached hereto precluding Plaintiff's expert from testifying in this case. The grounds for this

motion are set forth fully in the accompanying memorandum of law dated May 22, 2006, the exhibits thereto, and upon all of the pleadings and proceedings heretofore had herein.

Respectfully submitted,

REED SMITH LLP

By: s/ Thad J. Bracegirdle

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Attorneys for Defendants, Mellon Trust of  
Delaware National Association, Mellon Bank,  
National Association, and Mellon Financial  
Corporation.

Dated: May 22, 2007

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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LINDA J. BLOZIS,	:	
	:	CIVIL ACTION NO. 05-891 (SLR)
Plaintiff,	:	
	:	
vs.	:	
	:	
MELLON TRUST OF DELAWARE,	:	
NATIONAL ASSOCIATION; MELLON	:	
BANK, NATIONAL ASSOCIATION;	:	
MELLON FINANCIAL	:	
CORPORATION,	:	
	:	
Defendants.	:	

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**ORDER**

It is hereby ORDERED on this \_\_\_\_ day of June 2007 that the motion of Defendants Mellon Trust of Delaware, National Association, Mellon Bank, National Association, and Mellon Financial Corporation (collectively, “Defendants”) pursuant to Fed. R. Evid. 702 and Fed. R. Civ. P. 26(a)(2) to preclude Plaintiff’s expert witness, Dr. Thomas C. Borzilleri, from testifying in this case is GRANTED.

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SUE L. ROBINSON, Chief District Court Judge

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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<p><b>LINDA J. BLOZIS</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>vs.</b></p> <p><b>MELLON TRUST OF DELAWARE,</b></p> <p><b>NATIONAL ASSOCIATION; MELLON</b></p> <p><b>BANK, NATIONAL ASSOCIATION;</b></p> <p><b>MELLON FINANCIAL</b></p> <p><b>CORPORATION</b></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p><b>CIVIL ACTION NO. 05-891 (SLR)</b></p> <p><b><u>CERTIFICATE OF SERVICE</u></b></p>
<b><u>Defendant.</u></b>		:

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I, Thad J. Bracegirdle, being a member of the Bar of this Court, do hereby certify that on May 22, 2007, I caused a true and correct copy of **DEFENDANTS' MOTION IN LIMINE TO PRECLUDE PLAINTIFF'S EXPERT WITNESS FROM TESTIFYING ON THE GROUNDS THAT PLAINTIFF'S EXPERT'S OPINION IS BASED ON UNREALISTIC ASSUMPTIONS, AND PLAINTIFF FAILED TO PROVIDE MANDATORY DISCLOSURES AND RELEVANT DISCOVERY** to be served by electronic filing with the Court upon the following counsel:

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s/Thad J. Bracegirdle  
Thad J. Bracegirdle (No. 3691)